

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BENJAMIN JONES,

Plaintiff,

v.

J. BROWN,

Defendant.

Case No. 2:20-cv-11406
Honorable Victoria A. Roberts

ORDER TO CORRECT DEFICIENCIES

This matter came before the Court on Benjamin Jones' letters, which are addressed "To Whom This [or These Words] May Concern." (ECF No. 1.)

Jones is a state prisoner at the Woodland Center Correctional Facility in Whitmore Lake, Michigan. In a letter dated May 11, 2020, Jones states that he was assaulted by corrections officer J. Brown at the Woodland Correctional Facility on August 17, 2019, and that he wants to file a lawsuit for assault with excessive use of force. Jones also alleges that Brown wrote a misconduct ticket about him, that he was locked in a room for twelve days because he filed the misconduct report, and that the report was later "thrown out" because of Brown's lie.

Jones seeks help because of the alleged impossibility of getting help at the Woodland Correctional Facility. *Id.*, PageID. 1.

In a second letter dated May 17, 2020, Jones states that he is writing in hopes that his letter will spark an investigation at the Woodland Correctional Facility. Jones states

that the facility is very corrupt; he reiterates that he was assaulted by J. Brown on August 17, 2019.

Jones raises several other issues regarding the Woodland Correctional Facility, including: a nurse's denial of dialysis on July 15, 2019, after Jones refused a medical assessment; threats that Lieutenant Neil Church directed at Jones on April 18, 2020; staff members who assert lies on prison misconduct tickets; staff members' lack of concern for, or mistreatment of, bed-ridden patients; double-bunking in the infirmary and staff members' failure to observe patients on a routine basis; the mishandling of mail; the deprivation of yard privileges; harassment by staff; lack of investigations of, and responses to, grievances; the lack of heat and therapeutic diets; and delayed or inadequate medical and psychological services. *Id.*, PageID. 3-12.

The Clerk of Court filed Jones' letters as a civil rights action. However, Jones did not prepay the filing fee. Nor did he apply for leave to proceed without prepayment of the filing fee in accordance with 28 U.S.C. § 1915(a)(1), (a)(2). Accordingly, the Court **ORDERS** Jones to do one of the following: (1) prepay the filing fee of \$350.00, plus an administrative fee of \$50.00, for a total of \$400.00; **or** (2) complete and submit to the Clerk of Court an application to proceed without prepayment of the fees and costs for this action **and** a certified statement regarding his trust fund account at the Woodland Correctional Facility. The Court encloses a blank application for Jones to complete and return if he is unable to prepay the filing fee.

The Court also **ORDERS** Jones to complete a proper complaint, using the blank form enclosed with this letter. The complaint must contain "a short and plain statement" of Jones' claim(s), see Fed. R. Civ. P. 8(a)(3), and also include the case number for this

case, which is 20-11406. Jones must then mail the completed forms to the Clerk of this Court. The address is 231 West Lafayette Blvd., Detroit, MI 48226. Upon receipt of the complaint and the filing fee or an application to proceed without prepayment of the filing fee, the Court will screen the complaint under 28 U.S.C. §§ 1915(e)(2) and 1915A. But if Jones fails to comply with this order within **thirty (30) days** of the date of this order, the Court could dismiss this case for failure to prosecute.

s/ Victoria A. Roberts

VICTORIA A. ROBERTS

UNITED STATES DISTRICT JUDGE

Dated: 7/16/2020